



DOCKET NO.: ISIS-5246

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Phillip Dan Cook, et al.

Application No.: 10/663,155

Filing Date: September 15, 2003

For: OLIGONUCLEOTIDES CONTAINING 2'-O-MODIFIED PURINES

Confirmation No.: Not Yet Assigned

Group Art Unit: Not Yet Assigned

Examiner: Not Yet Assigned

DATE OF DEPOSIT: *October 15, 2003*

I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL, POSTAGE PREPAID, ON THE DATE INDICATED ABOVE AND IS ADDRESSED TO THE UNITED STATES PATENT AND TRADEMARK OFFICE, P.O. BOX 1450, ALEXANDRIA, VA 22313-1450.

Elizabeth A. McLoud

TYPED NAME: Elizabeth A. McLoud

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

INFORMATION DISCLOSURE STATEMENT

Pursuant to 37 CFR § 1.56 and in accordance with 37 CFR §§ 1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 CFR § 1.56(b).

- ☒ In accordance with § 1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified application, within three months of the date of entry into the national stage of the above identified application as set forth in § 1.491, before the mailing date

of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of request for continued examination under § 1.114, no additional fee is required.

☐ In accordance with § 1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Certification in Accordance with § 1.97(e) is attached; or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(c), this Information Disclosure Statement is being filed after the period set forth in § 1.97(b) above but before the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311, or before an action that otherwise closes prosecution in the application, therefore:

☐ Certification in Accordance with § 1.97(e) is attached;

or

☐ The fee of \$180.00 as set forth in § 1.17(p) is attached.

☐ In accordance with § 1.97(d), this Information Disclosure Statement is being filed after the mailing date of either a Final Action under § 1.113 or a Notice of Allowance under § 1.311 but before, or simultaneously with, the payment of the Issue Fee, therefore included are: Certification in Accordance with § 1.97(e); and the submission fee of \$180.00 as set forth in § 1.17(p).

☐ Copies of each of the references listed on the attached Form PTO-1449 are enclosed herewith.

- ☒ Copies of references listed on the attached Form PTO-1449 are enclosed herewith
- ☒ Copies of references listed on the attached Form PTO 1449 are not required to be submitted pursuant to the June 30, 2003 recent revisions to 37 CFR § 1.98(a)(2)(i).

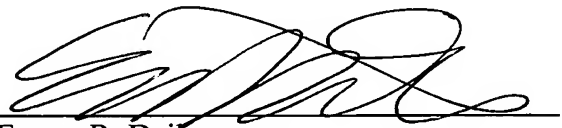
EXCEPT THAT:

- ☐ In view of the voluminous nature of references [list as appropriate], and the likelihood that these references are available to the Examiner, copies are not enclosed herewith.
- ☒ In accordance with § 1.98(d), copies of the following references listed on the attached Form PTO-1449 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application:
- ☒ Copies of references **1-15 and 32** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **07/918,362 now U.S. Patent No. 5,506,351**, filed **July 23, 1992**; copies of references **16-31 and 33-48** listed on the attached Form PTO-1449 were previously cited by or submitted to the Patent and Trademark Office in prior Application No. **07/967,267**, filed **October 27, 1992**.

Please charge any deficiency or credit any overpayment to Deposit Account No. 23-3050. This form is submitted in duplicate.

- ☐ The relevance of those listed references which are not in the English language is as follows:
- ☒ An English language abstract was previously provided for reference **44** which is not in the English language.

Date: October 15, 2003


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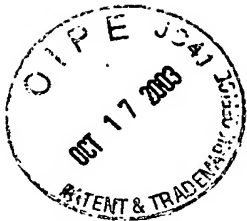
Form PTO-1449 Modified List of Patent and Publications Cited by Applicant (Use several sheets if necessary) U.S. Department of Commerce Patent and Trademark Office	Docket No. ISIS-5246	Application No. 10/663,155
	Applicant Phillip Dan Cook, et al.	
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	Confirmation No. Not Yet Assigned	
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
	1	Cotton, M., et al., <i>Nucleic Acids Research</i> , 1991 , 19, 2629-2635
	2	Ekborg, G., et al., <i>Carbohydrates, Nucleosides, Nucleotides</i> , 1980 , 7, 57-61
	3	Gladkaya, V.A., et al., <i>Khim. Prir. Soedin</i> , 1989 , 4, 568
	4	Hansske, F., et al., <i>Tetrahedron</i> , 1984 , 40, 125-135
	5	Inoue, H., et al., "Synthesis and hybridization studies on two complementary nona(2'-O-methyl)ribonucleotides," <i>Nucleic Acids Research</i> , XP 000570336, 1987 , 15(15), 6131-6148
	6	Iribarren, A.M., et al., <i>Proc. Natl. Acad. Sci.</i> , 1990 , 87, 7747-7751
	7	March, J., <i>Advanced Organic Chemistry, Wiley-Interscience</i> , John Wiley & Sons, 1985 , 220
	8	Robins, M.J., et al., <i>J. Org. Chem.</i> , 1974 , 39, 1891-1899
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	10	Singer, B. and Kusmieriek, "Alkylation of Ribose in RNA Reacted with Ethylnitrosourea at Neutrality", <i>Biochemistry</i> 1976 , 15(23), 5052-5057
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	11	Sproat, B.S., et al., <i>Nucleic Acids Res.</i> , 1990 , <i>18</i> , 41-49		
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	13	Sproat, B.S., et al., "2'-O-methyloligoribo-nucleotides: synthesis and applications," <i>Oligonucleotides and Analogues</i> , Eckstein, F. (Ed.), Oxford University Press, 1991 , 49-86		
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	21	Inoue, et al., "Synthesis and properties of novel nucleic acid probes," <i>Nuc. Acids Res.</i> , 1985 , <i>16</i> , 165-168		
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	25	Kusmieriek, et al., <i>ACTA Biochimica Polonica</i> , 1973 , <i>20(4)</i> , 365		
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	28	Rottman, et al., <i>Biochemistry</i> , 1974 , <i>13</i> , 2762		
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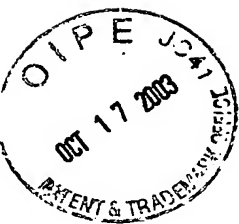
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	33	4,511,713	04/1985	Miller, et al.		
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	37	5,658,731	08/19/97	Sproat et al.	435	6

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